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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/840,912      | 04/25/2001  | Yasuo Suzuki         | 35.C15308           | 5241             |

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EXAMINER

FULLER, RODNEY EVAN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2851

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/840,912

Applicant(s)

SUZUKI, YASUO

Examiner

Rodney E Fuller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because of the phrase "An object of the present invention is..." which can be implied. Correction is required. See MPEP § 608.01(b).

### *Drawings*

3. Figure 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because of the following:

- a. In Figure 1, the polarizer means (ref. #s 32a, 32b, 32c and 32d) appears to be directed to a structure below the optical path of the light.

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b. In Figure 2, the polarizer means (ref. #s 32a, 32b, 32c and 32d) is represented by a rectangle which surrounds the rotary polygon mirror and does not appear to represent an optical component.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakazato, et al. (US 6,236,820).

Nakazato (US 6,236,820) discloses all the structures set forth in the claims. Regarding claim 1, Nakazato (US 6,236,820) discloses "...an image bearing body (Fig. 9, ref.#s 1, 8K, 8C, 8M, 8Y); a light source (column 21, line 63); polarizing means (Fig. 9, ref.#s 106K, 106C, 106M, 106Y) for polarizing a light source emitted from said light source; a lens (Fig. 9, ref.# 108K, 108C, 108M, 108Y, 112K, 112C, 112M, 112Y) for imaging a light polarized by said polarizing means onto said image bearing body; and an optical box (Fig. 9, ref.# 104K, 104C,

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104M, 104Y) for containing at least said light source, said polarizing means, and said lens, wherein said optical box is provided plurally and said plurality of optical boxes are stacked to be integrated.”

Regarding claim 2, Nakazato (US 6,236,820) discloses “... wherein said optical box has a positioning portion for other of said optical box to be stacked thereon.” (Fig. 12, ref.#s 280U, 280D)

Regarding claim 3, Nakazato (US 6,236,820) discloses “... wherein said optical box and other of said optical box are fixed to each other by an elastic member, or by adhering or welding.” (Column 9, line 20)

Regarding claim 4, Nakazato (US 6,236,820) discloses “... wherein said optical box has an engaging portion for engaging with other of said optical box.” (Column 5, lines 41-44)

Regarding claim 5, Nakazato (US 6,236,820) discloses “... wherein said engaging portion has a notch portion.” (Column 5, lines 41-44)

Regarding claim 6, Nakazato (US 6,236,820) discloses a “... positioning means having positioning portions for positioning said plurality of optical boxes, respectively.” (Fig. 30, ref.# 22 and column 5, lines 41-44)

Regarding claim 7, Nakazato (US 6,236,820) discloses “... wherein said positioning means has a form of a box.” (Fig. 30, ref.# 22)

Regarding claim 8, Nakazato (US 6,236,820) discloses “... wherein said optical box has an engaging portion for engaging with a main body of said apparatus.” (Column 5, lines 35-44)

Regarding claim 9, Nakazato (US 6,236,820) discloses “... wherein said engaging portion has a notch portion.” (Column 5, lines 41-44)

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Regarding claim 10, Nakazato (US 6,236,820) discloses "...wherein said image bearing body (Fig. 9, ref.# 8K, 8C, 8M, 8Y) is provided plurally and said plurality of image bearing bodies are provided in correspondence with said plurality of optical boxes (Fig. 9, ref.# 104K, 104C, 104M, 104Y), respectively."

Regarding claim 11, Nakazato (US 6,236,820) discloses "...wherein an interval between said optical boxes (Fig. 9, ref.# 104K, 104C, 104M, 104Y) is equal to an interval between said image bearing bodies (Fig. 9, ref.# 8K, 8C, 8M, 8Y)."

Regarding claim 12, Nakazato (US 6,236,820) discloses "...wherein said plurality of optical boxes corresponds to a plurality of formed images having different colors." (Column 6, lines 11-15)

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

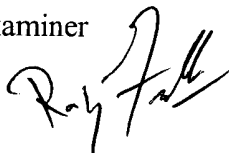
Obu (US 5,953,559), Miyamoto, et al. (US 6,249,305), Yamamoto, et al. (US 6,381,428), Kaneko, et al. (US 2001/0031152 A1), and Nakazato, et al. (US 2001/0021319 A1) each disclose an image forming apparatus that includes a plurality of imaging optical systems that are stacked to be integrated.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney Fuller whose telephone number is (703) 306-5641. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams, can be reached on (703) 308-2847.

Rodney Fuller  
Primary Examiner

A handwritten signature in black ink, appearing to read "Rodney Fuller", is written over the printed name and title.

August 10, 2002